

Transmittal Letter to the United States  
Designated/Elected Office (DO/EO/US)Prepared from  
FORM PTO-1390

Attorney's Docket No. : Y03-069  
U.S. Application No. : Not Yet Assigned  
U.S. Application Filed : Herewith  
International Application No. : PCT/US03/004072  
International Filing Date : 12 February 2003 (12.02.03)  
Priority Dates Claimed : 15 February 2002 (15.02.02)  
Title of Invention : NOVEL TYLOINDICINES AND RELATED PROCESSES,  
PHARMACEUTICAL COMPOSITIONS AND METHODS  
Applicants for (DO/EO/US) : BAKER, David C.; CHENG, Yung-Chi; ZHONG, Sanbao

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a) ☐ is transmitted herewith (required only if not transmitted by the International Bureau);
  - b) ☒ has been transmitted by the International Bureau;
  - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English [35 U.S.C. 371(c)(2)].
7. ☐ Amendments to the claims of the International Application under PCT Article 19/34 [35 U.S.C. 371(c)(3)]
  - a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau);
  - b) ☐ have been transmitted by the International Bureau, and have been made a part of the specification as filed;
  - c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired;
  - d) ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

EXPRESS MAIL No.: EV 332303765 US

Deposited: July 19, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: "Commissioner for Patents, M. S. Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450."

Harold Hull

Harold Hull

July 19, 2004

Date

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.  
 12. ☐ An Assignment document for recording. (A separate Cover Sheet in compliance with 37 CFR 3.28 and 3.31 is included.)  
 13. ☒ A **FIRST** preliminary amendment.  
       ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.  
 14. ☐ A substitute specification.  
 15. ☐ A change of power of attorney and/or address letter.  
 16. ☒ (other items or information) Application Data Sheet, TRANSMITTAL UNDER 37 C.F.R. § 1.41; Published Int'l Application No. WO 03/070166, International Search Report; International Preliminary Examination Report; Written Opinion; Forms: PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/IB/332 and PCT/IPEA/402.

17. ☒ The following fees are submitted:

						CALCU- LATIONS	PTO USE ONLY
<b>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:</b>							
<input type="checkbox"/>	Search Report has been prepared by the EPO or JPO	\$	920.00				
<input checked="" type="checkbox"/>	International preliminary examination fee paid to USPTO [37 CFR 1.482]	\$	730.00			\$730.00	
<input type="checkbox"/>	No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)]	\$	770.00				
<input type="checkbox"/>	Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO	\$	1080.00				
<input type="checkbox"/>	International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4)	\$	100.00				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT</b>						\$730.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> / <input checked="" type="checkbox"/> 30 months from the earliest claimed date [37 CFR 1.492(e)]						\$130.00	
Claims	Number filed	Number extra	Rate				
Total Claims	59	-20 = 39	x \$ 18. =			\$ 702.00	
Indep. Claims	3	- 3 = 0	x \$ 84 =				
Multiple Dependent Claim(s) (if applicable) + \$ 280. =						280.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>						\$1842.00	
Reduction by 1/2 for filing by <b>small entity</b> , if applicable. Verified Small Entity Statement must be filed, if required. [Note 37 CFR 1.9, 1.27, 1.28]						- 921.00	
<b>SUBTOTAL =</b>						\$ 921.00	
Processing fee of \$130.00 for furnishing the English Translation later than <u>20</u> / <u>30</u> months from the earliest claimed priority date [37 CFR 1.492(f)]						+ \$	
<b>TOTAL NATIONAL FEE =</b>						\$ 921.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet [37 CFR 3.28, 3.31]. \$40.00 per property						+ \$	
<b>TOTAL FEE (ENCLOSED) =</b>						\$ 921.00	
(AMOUNT TO BE REFUNDED OR CHARGED)						REFUNDED	\$
						CHARGED	\$

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- DT12 REC D PCT/PTO 19 JUL 2004
- a) ☒ A check in the amount of \$ 921.00 to cover the above fees is enclosed.  
b) ☐ Please charge my Deposit Account No. 04-0838 in the amount of \$  
to cover the above fees. A duplicate copy of this sheet is enclosed.  
c) ☒ The Commissioner is hereby authorized to charge any additional fees which  
may be required, or credit any overpayment to Deposit Account No. 04-0838.  
A duplicate copy of this sheet is enclosed.

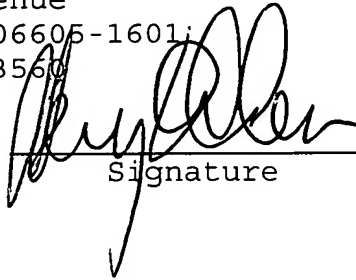
NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

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SEND ALL CORRESPONDENCE TO:

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Tel. (203) 366-3560

Henry D. Coleman  
Name

  
Signature

32,559  
Reg. No.

July 19, 2004  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: : BAKER, David C.; CHENG, Yung-Chi  
and ZHONG, Sanbao

APPLICATION NO. : Not Yet Assigned

DATE FILED : Herewith

FOR : NOVEL TYLOINDICINES AND RELATED  
PROCESSES, PHARMACEUTICAL COMPOSITIONS  
AND METHODS

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL UNDER 37 C.F.R. § 1.41**

S I R:

The undersigned attorney for applicants David C. BAKER, Yung-Chi CHENG and Sanbao ZHONG, hereby makes application for patent on behalf of said applicants.

Applicants respectively reside at:

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Rec'd PCT/PTO 19 JUL 2004

Respectfully submitted,

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Dated: 7/19/04

By: 

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